

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

DARRIANA HUMPHREY,

Case No. 2:24-cv-00116-GMN-EJY

Plaintiff,

ORDER

v.

HENDERSON COUNTY DETENTION
CENTER,

Defendant.

Plaintiff submitted a Civil Rights Complaint under 42 U.S.C. § 1983 on January 16, 2024. ECF No. 1-1. A week later, on January 23, 2024, Plaintiff submitted the long and short versions of an application to proceed *in forma pauperis* (“IFP”) for a non-prisoner. ECF Nos. 3, 3-1. Plaintiff’s submissions indicate she is incarcerated at Henderson County Detention Center. *Id.* Because Plaintiff is an inmate, she must submit this Court’s approved form IFP application for inmates and the required financial attachments. Even if Plaintiff has not been at the Henderson County Detention Center for a full six-month period, Plaintiff must still submit a financial statement and an inmate account statement for the dates she has been at the facility. 28 U.S.C. § 1915(a)(2); Local Rule LSR 1-2. The Court denies Plaintiff’s IFP application for non-prisoners as moot and directs Plaintiff to file an IFP application for inmates.

Accordingly, IT IS HEREBY ORDERED that Plaintiff’s applications to proceed *in forma pauperis* (ECF Nos. 3, 3-1) are DENIED as moot.

IT IS FURTHER ORDERED that on or before **April 15, 2024**, Plaintiff must either pay the \$405 filing fee for a civil action¹ or file with the Court: (1) a complete **Application to Proceed *in Forma Pauperis* for Inmate** on the Court’s approved form; (2) a **Financial Certificate** properly signed by both the inmate and a prison or jail official; and (3) a copy of the **inmate’s prison or jail trust fund account statement for the previous six-month period**.

¹ As of December 1, 2023, the fee for filing a civil-rights action is \$405, which includes the \$350 filing fee and the \$55 administrative fee. *See* 28 U.S.C. § 1914(b).

1 IT IS FURTHER ORDERED that failure to either pay the \$405 filing fee or file a complete
2 application to proceed *in forma pauperis* on or before **April 15, 2024**, will result in a
3 recommendation to dismiss this action **without prejudice**. A dismissal without prejudice allows
4 Plaintiff to file his case with the Court, under a new case number, when she is able to comply with
5 LSR 2-1 and file a complete application to proceed *in forma pauperis* or pay the required filing fee.

6 IT IS FURTHER ORDERED that the Court will retain Plaintiff's Complaint (ECF No. 1-1),
7 but will not file it at this time.

8 IT IS FURTHER ORDERED that the Clerk of the Court must send Plaintiff the approved
9 form application to proceed *in forma pauperis* for inmate along with the information and instructions
10 for filing the same.

11 DATED this 14th day of February, 2024.

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13 ELAYNA J. YOUCHAK
14 UNITED STATES MAGISTRATE JUDGE
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